

PUBLIC UTILITIES COMMISSION
465 SOUTH KING STREET, ROOM 103
HONOLULU, HAWAII 96813
PHONE: 586-2020

GENERAL INFORMATION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT
PROPERTY CLASSIFICATION

APPLICATION FORM:

Attached is a motor carrier application form for property classification. Please read the instructions and complete the appropriate sections and exhibits.

The application must be typewritten and signed in black ink on 8-½" x 11" paper. Attach all exhibits to the application.

TAX CLEARANCE APPLICATION FORM (Effective September 14, 1995):

Also attached is a Department of Taxation tax clearance application form (Form A-6). Please read the instructions and complete the appropriate sections of the form. At line 4, enter a check mark in the box and enter the words "State PUC Motor Carrier Licensing" after the word "Others".

Take the form to the Department of Taxation and obtain a Tax Clearance Certificate. Your motor carrier application will not be accepted for filing at the Public Utilities Commission unless it is accompanied by a Tax Clearance Certificate issued by the Department of Taxation.

FILING FEE:

Please pay thirty dollars (\$30.00) at the time of filing the application with the Public Utilities Commission. Make your check payable to the Public Utilities Commission.

(continued on next page)

COPIES REQUIRED:

- a. Notarized original and 8 copies to:

Public Utilities Commission

- b. 2 copies mailed to:

Division of Consumer Advocacy
Department of Commerce and Consumer Affairs
P. O. Box 541
Honolulu, HI 96809

- c. 1 copy mailed to:

Hawaii Transportation Association
P. O. Box 30166
Honolulu, HI 96820

RULES:

The following Hawaii Administrative Rules (HAR) are available at a nominal cost:

HAR Chapter 6-61	Rules of Practice and Procedure Before the Public Utilities Commission of the State of Hawaii
HAR Chapter 6-62	Motor Carrier Rules and Classification of Property and Passenger Carriers
HAR Chapter 6-63	Motor Carrier Tariffs and Schedules

Should you have any questions, please contact the Transportation Specialist.

NOTE: DO NOT DUPLICATE OR FILE THIS INFORMATION SHEET.

INSTRUCTIONS

FOR COMPLETING AN APPLICATION FOR A MOTOR CARRIER CERTIFICATE OR PERMIT FOR PROPERTY CLASSIFICATION

Paragraph No.

1. a. Provide applicant's full name. An applicant using a trade name must attach a copy of its completed trade name registration form file-stamped by:

Business Registration Division
Department of Commerce and Consumer Affairs
Kamamalu Building
1010 Richards Street, 1st Floor
Honolulu, Hawaii 96813

An applicant, who is a corporation or partnership, must attach a file-stamped copy of its articles of incorporation or partnership agreement.

NOTE: If the corporation or partnership was formed under laws other than the laws of the State of Hawaii, the applicant must also attach a copy of its current certificate of authority or registration statement that it is registered to transact business in the State of Hawaii.

- b. Provide applicant's mailing address.
- c. Provide applicant's business and residence telephone numbers.
2. Provide the name of the person to whom correspondence may be sent. If an attorney is representing the applicant, provide the attorney's name, law firm name, address, and phone number.
3. Mark an "X" in the applicable box. For item "b", provide the PUC number. For item "c", provide the PUC number, specify whether the applicant will be a common or contract carrier, and describe the change in transportation operation.
4. Property: Mark an "X" in the applicable box or boxes.

5. Mark an "X" in the applicable box. An applicant who is a corporation or partnership **MUST COMPLETE EXHIBIT A**, Partnership or Corporation Information. An applicant who is an individual (sole proprietorship) need not complete EXHIBIT A.

6. a. Mark an "X" in the applicable box or boxes to indicate the island(s) where transportation service will be provided.

NOTE: If the application is for more than one island, prepare Exhibit F, Projected PUC Operating Revenues and Statistics for each island.

- b. Mark an "X" in the applicable box to indicate whether transportation service will be performed on the entire island or only a portion of the island.

If the transportation service is limited only to a portion of an island, provide the location of the area or points to be served.

7. a. Mark an "X" in the applicable box.

"Common carrier by motor vehicle" means any person which holds itself out to the general public to engage in the transportation by motor vehicle of passengers or property or any class or classes thereof for compensation.

"Contract carrier by motor vehicle" means any person which engages in transportation by motor vehicle of passengers or property for compensation under continuing contracts with one person or a limited number of persons either (A) for the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served, or (B) for the furnishing of transportation services designed to meet the distinct need of each individual customer.

- b. If the application is for a contract carrier permit, list each company that you have a contract with, and provide the company's address. Attach a copy of each contract with the application.

8. Mark an "X" in the applicable box and fill in the blank lines as necessary.
9. Specify the number of vehicles to be used. Provide the specific vehicle information on Exhibit B, Vehicle Inventory List. Also attach a copy of the certificate of ownership or registration for each vehicle. List truck tractors and trailers separately.

NOTE: Vehicles of corporate and partnership applicants must be owned by the corporation or partnership.

10. Mark an "X" in the applicable box.

If "Yes", attach specific information of the affiliation with another motor carrier as an exhibit to the application.

11. Tariff:

Mark an "X" in the applicable box to indicate whether you will participate with a tariff bureau or publish your own tariff.

- a. An applicant who will join or participate in the published tariff of the **Western Motor Tariff Bureau, Inc.** (phone: 836-5874, fax: 833-8486), which publishes tariffs for property carriers for all islands.
- b. An applicant not joining or participating in a tariff bureau's tariff must conform to the Commission's motor carrier tariff rules, HAR Chapter 6-63. A copy of the rules is available from the Commission at a nominal cost. An applicant must file a tariff that contains the rates or fare to be charged and rules and regulations governing the service.

12. An applicant must provide the information requested in each item.

NOTE: Item 12.d -- if you do not have a number, but are in the process of applying for a general excise tax license or a federal ID number, please fill in "APPLIED".

13. a. Applicants for a "**COMMON CARRIER CERTIFICATE**" must complete this section. A common carrier by motor vehicle means any person that holds itself out to the **general public** to engage in the transportation by motor vehicle of passengers or property or any class or classes thereof for compensation.
- b. Applicants for a "**CONTRACT CARRIER PERMIT**" must complete this section. A contract carrier by motor vehicle means any person which engages in transportation by motor vehicle of passengers or property for compensation under continuing contracts with one person or a limited number of persons either (A) for the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served, or (B) for the furnishing of transportation services designed to meet the distinct need of each individual customer.

Contract carrier applicants must file with the commission a certified copy of a written contract executed with the shipper or shippers for whom the service will be provided. The contract must be bilateral and impose specific obligations on both carrier and shipper and must set forth all terms and conditions of the transportation agreement.

14. Filing an application does not grant the applicant the authority to operate as a common or contract carrier. The application will be reviewed and as necessary, supplemental information may be requested. Based on financial fitness and need, an order will be issued. Upon compliance with the order, a certificate or permit will be issued.
15. Fill in the date and sign the application. Also, complete the Oath in the presence of a notary public and sign the Certificate of Service after all parties are served.

INSTRUCTIONS

FOR COMPLETING THE EXHIBITS FOR MOTOR CARRIER APPLICATIONS **PROPERTY CLASSIFICATION**

EXHIBIT A: PARTNERSHIP OR CORPORATION INFORMATION

Corporate and partnership applicants are required to complete exhibit A.

Individual (sole proprietorship) applicants--need not complete exhibit A.

EXHIBIT B: VEHICLE INVENTORY

Provide vehicle information for each vehicle to be used. List trucks and trailers separately. Attach a copy of the certificate of registration or ownership for each vehicle (issued by the City and County of Honolulu or the neighbor island counties). If you own the vehicle and you are a corporation or partnership, the vehicle must be registered in the name of the corporation or partnership. If vehicles are leased, a copy of the vehicle lease(s) must be filed with the commission.

EXHIBIT C: BALANCE SHEET

Balance Sheet must be completed by all applicants. The information on the Balance Sheet must be current (not older than 3 months from the time the application is filed).

In the Balance Sheet, accounts are classified so that similar items are grouped together in three general classes as follows: assets, liabilities, and owners' equity.

EXHIBIT D: FIXED ASSETS SCHEDULE

The Fixed Asset Schedule includes vehicles, real property, improvements, office equipment and other tangible property with value. Complete the exhibit as follows:

- Line 1, include all vehicles that you will be using for your PUC operations. Do not include any leased vehicles. Include leased vehicles on line 4a of Exhibit G.
- Line 2, include any vehicles (personal automobile, etc.) owned by you that will not be used for your PUC operations.
- Line 3 include any land, building, and improvement in which a leasehold or fee simple interest is held.
- Line 4, include all other fixed assets not included in lines 1 through 3.
- Transfer the amount shown on line 5, column 3, to line 3 of Balance Sheet, Exhibit C.

EXHIBIT E: LOANS PAYABLE SCHEDULE

Loans payable are obligations of a business to pay for items such as vehicles, equipment, etc. on an installment basis. Complete exhibit as follows:

- Lines 1a through 1c pertain to only corporations and partnerships. Include loans from officers and partners.
- On lines 2a through 2j, include loans from financial institutions such as banks, savings and loans, and credit unions, etc.
- Transfer the amount shown on line 3, column 4, to line 14 of Balance Sheet, Exhibit C.

EXHIBIT F: SCHEDULE C, PROJECTED OPERATING REVENUES AND STATISTICS

Projected Operating Revenues and Statistics: Projections shall be for a forward 12-month period. To obtain operating revenues, multiply the average tariff rate by the projected number of tons to be carried, or hours of operation for each type of property classification being applied for.

Example: If applicant is a property carrier and applying for general commodities and dump truck classifications, list revenues from the general commodities classification on line 1 and the dump truck classification on line 4, then total all revenues on line 10.

Revenues from specific commodities hauling must also be listed separately by commodity to be transported.

EXHIBIT G: PROJECTED INCOME STATEMENT

An income statement is a report that measures the gains or losses of a business operation for a given period of time. The Income Statement is divided into two major groups: revenues and expenses. The expenses are deducted from the revenues to arrive at the net income or loss for the period. Complete the exhibit as follows:

- Line 1, operating revenues, see Exhibit F, line 10. Include this amount to line 1 of Exhibit G.
- Lines 2 through 24, include all expenses that you will be incurring from your PUC operations. Be sure to complete lines 15 and 16.
- Airport Transfer Fee, Line 17: Complete this line only if you are planning to transfer property (baggage, etc.) to and from the airport area. Multiply the projected transfer revenues by 3.5% (.035).

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